



Dep & Ref Rm 307

DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BREWER et al.

Serial No. 10/035,199

Filed: January 4, 2002

For: DETERMINATION OF MASK FITTING PRESSURE AND
CORRECT MASK FIT

* * * * *

2004 OCT 18 AM 10:06

Atty. Ref.: 4398-208

TC/A.U.: 3743

Examiner: PATEL, Mital B.

October 12, 2004

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

Applicants hereby request a refund in the amount of \$320.00 for charges debited against Applicants' undersigned representative's Deposit Account No. 14-1140 on August 10, 2004. The charges debited are as follows: Fee Code 1201 - \$86.00, Fee Code 1202 \$234.00 (see copy of Deposit Account Statement attached).

The application was filed January 4, 2002 with a Preliminary Amendment including 30 claims (claims 27-56), 6 of which were independent, claims 1-26 having been canceled in box 14 of the application transmittal and/or the Preliminary Amendment. Applicant submitted the appropriate filing fee of \$740.00 plus additional claims fees of \$180 and \$252 for additional independent claims.

On July 16, 2003, Applicants then appointed representative filed an Election and Amendment including 43 claims, 6 of which were independent. Applicants'

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representative's cover sheet indicates that the appropriate fee of \$234.00 for the additional claims fee was submitted. No additional independent claims fee was due at this time (see cover sheet attached).

On July 16, 2004, Applicants' newly appointed representative filed a Request for Continued Examination (RCE) and Amendment Accompanying Request, including 43 claims and 7 independent claims. A check was submitted in the amount of \$966 which included the following fees: RCE fee \$770.00, One-month Extension of Time \$110.00, Independent Claim Fee \$86.00.

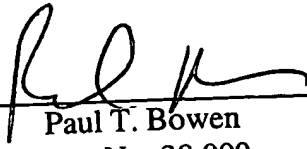
Applicants' undersigned representative believes that all fees have been timely paid and that no charge to Deposit Account #14-1140 should have been made.

Therefore, Applicants hereby request a refund in the amount of \$320.00 for charges erroneously debited against Applicants' undersigned representative's Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Paul T. Bowen
Reg. No. 38,009

PTB:jck
Attachments

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

In re Patent Application of

Atty Dkt. 4398-208

BREWER et al.

Serial No. 10/035,199

Filed: January 4, 2002

Title: DETERMINATION OF MASK FITTING PRESSURE AND CORRECT MASK FIT

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C# M#

3743

Examiner: PATEL, Mital B.

Date: July 16, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JUL 21 2004

TECHNOLOGY CENTER R3700

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment 43 minus highest number
previously paid for 43 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 7 minus highest number
previously paid for 6 (at least 3) = 1 x \$ 86.00 \$ 86.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 110.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 196.00

If "small entity," then enter half (1/2) of subtotal and subtract

-\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)

\$ 0.00

Assignment Recording Fee (\$40.00)

\$ 0.00

Other: Request for Continued Examination

770.00

TOTAL FEE ENCLOSED \$ 966.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 141140. A duplicate copy of this sheet is attached.

8/10/2004 TTUTT 00000004 141140 10035199

1 F1100 North Glebe Rd, 8th Floor
2 Arlington, Virginia 22204-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
PTB:jck

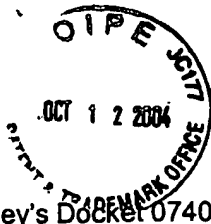
NIXON & VANDERHYE P.C.

By Atty: Paul T. Bowen, Reg. No. 38,009

Signature: 

Adjustment date: 11/26/2004 SDIRETA2
08/10/2004 TTUTT 00000004 141140 10035199
01 FC:1201 86.00 CR
02 FC:1202 234.00 CR

863484



Attorney's Docket 074066-0284145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
GREGORY NEWTON BREWER ET AL.

Confirmation Number: 2505

Application No.: 10/035,199

Group Art Unit: 3761

Filed: January 4, 2002

Examiner: Mital B. Patel

For: DETERMINATION OF MASK FITTING PRESSURE AND CORRECT MASK FIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

FEES

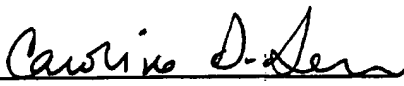
The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT FEE
TOTAL	43	- 30	= 13 x	\$ 18.00	= \$ 234.00
INDEP.	6	- 6	= 0 x	\$ 84.00	= \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$	280.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 234.00
GRAND TOTAL					\$ 234.00

FEE PAYMENT

Authorization is hereby made to charge the amount of \$234.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: 7/16/03
PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
(703) 905-2047


CAROLINE D. DENNISON
Reg. No. 34494

COPY

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